Express Mail Label No.: EV312712426US Attorney Docket No.: 24299-506

Date of Deposit: October 22, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PPLICANT:

Duff, et al.

SERIAL NUMBER:

09/037,472

EXAMINER:

Myers, Carla J.

FILING DATE:

March 10, 1998

ART UNIT:

1634

For:

DETECTING GENETIC PREDISPOSITION TO SIGHT THREATENING DIABETIC

RETINOPATHY

Mail Stop Issue Fee Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

STATEMENT OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

This application is no longer entitled to small entity status. Accordingly, Applicants have filed herewith the issue fee for a non-small entity (\$1330).

If the Examiner has any questions, she is invited to contact the Applicant's undersigned attorney at the number provided below.

Respectfully submitted,

Lyor R. Elrifi, Reg. No. 39,529 Janine M. Susan, Reg. No. 46,119

Attorneys for Applicants c/o MINTZ, LEVIN One Financial Center

Boston, Massachusetts 02111

Tel: (617) 542-6000 Fax: (617) 542-2241

Dated: October 22, 2003

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TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified application are the following documents:

Issue Fee Transmittal Form PTOL-85 [1 page];

Check No. 17387 in the amount of \$1,630 (\$1,330 for Issue Fee and \$300.00 for publication fee); and

Check No. 17388 in the amount of \$30 (advance copies of patent);

Statement of Loss of Entitlement to Small Entity Status; and

Return Postcard.

The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311 (Reference No. 24299-506). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529

Janine M. Susan, Reg. No. 46,119

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Dated: October 22, 2003

All correspondence should be addressed to Customer No. 30623